

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HAROLD JEAN-BAPTISTE,

Plaintiff,

-against-

CITY OF NEW YORK; MAYOR BILL DE  
BLASIO; DERMOT F. SHEA, POLICE  
COMMISSIONER,

Defendants.

21-CV-7876 (LTS)

ORDER DIRECTING PAYMENT OF FEES  
BY CERTIFIED CHECK, BANK CHECK,  
OR MONEY ORDER

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff brings this action *pro se*. To proceed with a civil action in this Court, a plaintiff must either pay \$402.00 in fees – a \$350.00 filing fee plus a \$52.00 administrative fee – or, to request authorization to proceed *in forma pauperis* (“IFP”), that is, without prepayment of fees, submit a signed IFP application. *See* 28 U.S.C. §§ 1914, 1915.

On September 21, 2021, Plaintiff filed his complaint with an IFP application. On October 4, 2021, the Court received an uncertified corporate check in the amount of \$402.00 for payment of the filing fees. Payment of the filing fees must be made by certified check, bank check, or money order, payable to: Clerk of Court – SDNY, and can be mailed to: Cashiers Unit – Room 260, 500 Pearl Street, New York, NY 10007. Any certified check, bank check, or money order must include Plaintiff’s case number, 21-CV-7876 (LTS). The Cashiers Unit is therefore directed to return the \$402.00 uncertified corporate check to Plaintiff at the New York address on the Court’s docket.<sup>1</sup>

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<sup>1</sup> Plaintiff lists a New York address on the signature pages the IFP application and the complaint filed on September 21, 2021, but in the caption of the complaint, Plaintiff lists a Miami, Florida address.

Within thirty days of the date of this order, Plaintiff must pay the \$402.00 in fees by certified check, bank check, or money order. The payment must include the docket number for this case, 21-CV-7876 (LTS). Because Plaintiff tendered payment in the amount of \$402.00, it appears that Plaintiff no longer seeks to proceed IFP in this case. If, however, Plaintiff believes that he does not have sufficient financial resources to pay the filing fees, he must submit an amended IFP application.<sup>2</sup>

No summons shall issue at this time. If Plaintiff complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

SO ORDERED.

Dated: October 6, 2021  
New York, New York

/s/ Laura Taylor Swain  
LAURA TAYLOR SWAIN  
Chief United States District Judge

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<sup>2</sup> An amended IFP application is attached to this order for Plaintiff's convenience.